

REMARKS

In the Office Action mailed on July 3, 2006, the Examiner objected to the IDS filed on September 17, 2003; objected to a paragraph on page 12 and rejected claims 1-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,991,498 to Young in view of as article titled "Technical Information: Digital Signals" by Samson.

In response Applicant has amended the specification, amended claims 1-22 and cancelled claims 23-28. No new matter has been added.

Applicant asserts that the IDS submitted on September 17, 2003 is proper. RE36,801 is a reissued patent based on patent application no. 08/634,618 filed on April 18, 1996 and entitled "Time Delayed Digital Video System Using Concurrent Recording and Playback" with Logan as the first named inventor. Applicant asserts that this reissued patent can be located from the USPTO's public database by typing in the following search query: pn/re36801. Applicant respectfully requests that the Examiner consider this reference and issue a new form PTO/08a indicating that this reference has been considered.

Applicant has amended paragraphs [0001] and [0003] to include patent application serial numbers. In addition, Applicant has amended paragraph [0036] to correct the misspelling of "are" to -area--.

Applicant has also amended independent claims 1, 9 and 17 to include recitation of playing back or displaying a portion of the recorded first program during a "live-pause" operation. Young cannot do this. Young is a VCR based system. This means that Young's memory is a tape that can only record or playback at any given moment. It

App. Ser. No.: 10/032,218
Atty. Doc. No.: BCS03851

cannot do any “live-pause” operations. Therefore, independent claims 1, 9 and 17 are allowable over the combination of Young and Samson.

Dependent claims 2-8, 10-16 and 18-22 are allowable due to their dependence on an allowable base claim.

CONCLUSION

No fees are due for this amendment. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant requests entry of this amendment, reconsideration of the pending claims and the issuance of a Notice of Allowance. Should the Examiner have any questions, he is invited to contact Applicant's representative below.

Respectfully submitted,

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_____/October 3, 2006_____
Date